

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC

Plaintiff,

v.

AUDIBLE MAGIC CORPORATION

Defendant.

and ELECTRONIC FRONTIER
FOUNDATION

Intervenor

Civil Action No. 6:15-cv-00584-RWS-CMC

**INTERVENOR ELECTRONIC FRONTIER FOUNDATION'S NOTICE REGARDING
CONTINUED PENDENCY OF MOTION FOR SANCTIONS**

Intervenor Electronic Frontier Foundation (“EFF”) respectfully submits this notice to clarify that EFF is not a party to any settlement and to advise the court that its Motion for Sanctions, Dkt. 136 and associated filings, remains pending and has not been resolved by any settlement.

EFF submits this clarification in light of Plaintiffs-Counterclaim Defendants and Defendant-Counterclaim Plaintiff’s (collectively, the “Settling Parties”) Notice of Settlement. Dkt. 140. EFF objects to the Settling Parties’ settlement and proposed order, *see* Dkt. 140-2, to the extent it would purport to moot or otherwise resolve EFF’s pending motion.

Dated: July 2, 2016

By: _____ */s/ Vera Ranieri*
Vera Ranieri

Vera Ranieri (admitted E.D. Tex.)
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CERTIFICATE OF SERVICE

I, Vera Ranieri, hereby certify that on July 2, 2016 the within document was filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the attorneys of record in this case.

/s/ Vera Ranieri
Vera Ranieri